

RICARDO HECTOR DOMINGUEZ	§	
VS.	§	CIVIL ACTION NO. 1:10-CV-330
JODY R. UPTON	§	

Petitioner, Ricardo Hector Dominguez, a federal prisoner formerly confined at FCC Beaumont, proceeding *pro se*, filed this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241

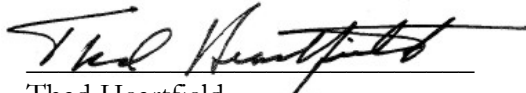
The Court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, and pleadings. Petitioner filed objections to the Magistrate Judge’s Report and Recommendation. This requires a *de novo* review of the objections in relation to the pleadings and applicable law. *See* FED. R. CIV. P. 72(b).

¹To the extent petitioner asserts his monetary claims pursuant to 42 U.S.C. § 1983 are ripe for consideration, those claims remained in his original suit 1:10cv313 which were dismissed without prejudice for want of prosecution on September 24, 2010. The present habeas claims were severed from the civil rights suit. If petitioner wishes to still pursue those claims, he may re-file those claims subject to the requisite \$350.00 filing fee and any defenses that may be applicable.

ORDER

Accordingly, the objections of petitioner are **OVERRULED**. The findings of fact and conclusions of law of the Magistrate Judge are correct and the report of the Magistrate Judge is **ADOPTED**. A final judgment will be entered in this case in accordance with the Magistrate Judge's recommendations.

SIGNED this the **10** day of **February, 2012**.



Thad Heartfield
United States District Judge